

STATE OF MICHIGAN
COURT OF APPEALS

SIXTEENTH CONGRESSIONAL DISTRICT
DEMOCRATIC COMMITTEE, SIXTEENTH
CONGRESSIONAL DISTRICT DEMOCRATIC
EXECUTIVE COMMITTEE, CHRISTOPHER E.
SMITH, METRO WAYNE DEMOCRATIC
CLUB, B.I.N.G.O., and CLIFF JOHNSON,

UNPUBLISHED
November 21, 2000

Plaintiffs-Appellees,

v

COMMISSIONER OF THE BUREAU OF STATE
LOTTERY, and BUREAU OF STATE
LOTTERY,

No. 213764
Wayne Circuit Court
LC No. 98-0803715-AZ

Defendants-Appellants.

Before: Neff, P.J., and Talbot and J.B. Sullivan*, JJ.

MEMORANDUM.

Defendants appeal as of right from the trial court's order granting summary disposition to plaintiffs pursuant to MCR 2.116(C)(10) on their claims for declaratory and injunctive relief. We reverse.

Defendants argue on appeal that the trial court erred in concluding that the pending referendum on 1994 PA 118 left the Legislature without authority to enact 1995 PA 275, and that defendants' refusal to issue plaintiffs bingo licenses in reliance on 1995 PA 275 was therefore unlawful. In *Reynolds v Bureau of State Lottery*, 240 Mich App 84; 610 NW2d 597 (2000), this issue was recently resolved contrary to the trial court's ruling in the present case. We are bound by *Reynolds* pursuant to MCR 7.215(H)(1). The trial court's ruling is therefore reversed.

* Former Court of Appeals judge, sitting on the Court of Appeals by assignment.

In light of our resolution, we need not address defendant's remaining issues.

Reversed.

/s/ Janet T. Neff

/s/ Michael J. Talbot

/s/ Joseph B. Sullivan